

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FEDERAL HOUSING FINANCE AGENCY,  
AS CONSERVATOR FOR THE FEDERAL  
NATIONAL MORTGAGE ASSOCIATION  
AND THE FEDERAL HOME LOAN  
MORTGAGE CORPORATION,

Plaintiff,

-against-

GOLDMAN, SACHS & CO., GS  
MORTGAGE SECURITIES CORP.,  
GOLDMAN SACHS MORTGAGE  
COMPANY, THE GOLDMAN SACHS  
GROUP, INC., GOLDMAN SACHS REAL  
ESTATE FUNDING CORP., HOWARD S.  
ALTARESCU, KEVIN GASVODA,  
MICHELLE GILL, DAVID J. ROSENBLUM,  
JONATHAN S. SOBEL, DANIEL L.  
SPARKS, AND MARK WEISS,

Defendants.

**NOTICE OF PLAINTIFF'S  
MOTION FOR PARTIAL  
SUMMARY JUDGMENT ON  
DEFENDANTS' DUE  
DILIGENCE AND REASONABLE  
CARE DEFENSES**

**No. 11 CIV. 6198 (DLC)**

PLEASE TAKE NOTICE that, upon the respective Declaration of Andrew R. Dunlap, Esq., and the exhibits attached thereto, Declaration of Charles Cipione, and the exhibits attached thereto, FHFA's Statement of Uncontested Material Facts pursuant to Local Civil Rule 56.1, and the accompanying Plaintiff's Memorandum in Support of Its Motion for Partial Summary Judgment on Defendants' Due Diligence and Reasonable Care Defenses, dated June 10, 2014, Plaintiff, by its attorneys, Quinn Emanuel Urquhart & Sullivan, LLP, hereby moves this Court for an Order pursuant to Rule 56(a) of the Federal Rules of Civil Procedure granting partial summary judgment and barring as a matter of law Defendants' pleaded defenses of "due diligence" under Section 11 of the Securities Act of 1933, 15 U.S.C. 77k(b)(3)(A), and "reasonable care" under Section 12 of the Securities Act of 1933 and parallel provisions of the

D.C. and Virginia Blue Sky Acts, 15 U.S.C. § 77l(a)(2); D.C. Code § 31.5606.05(a)(1)(B); Va. Code Ann § 13.1-522(A)(ii), and for such other and further relief as the Court may deem just and proper.

DATED: New York, New York  
June 10, 2014

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

By: /s/ Philippe Z. Selendy

Philippe Z. Selendy  
Sascha N. Rand  
Manisha M. Sheth  
Andrew R. Dunlap  
David B. Schwartz

51 Madison Avenue, 22nd Floor  
New York, New York 10010-1601  
(212) 849-7000

*Attorneys for Plaintiff Federal Housing Finance  
Agency, as Conservator for Fannie Mae and  
Freddie Mac*